

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**United States Currency in the
Approximate Amounts of \$13,995.00 and
\$1,684.00.**

Defendant.

Case No. 12-3005-CV-S-RED

FINAL ORDER OF FORFEITURE

Before the Court is Plaintiff's Motion for Final Order of Forfeiture (Doc. 15). On January 6, 2012, Plaintiff filed a civil forfeiture complaint against the defendants \$13,995.00 and \$1,684.00 in U.S. Currency which were seized from Ernest Underwood. Claimant Underwood and the United States have reached a settlement as to Underwood's claim, and the Settlement Agreement was filed with the Court on June 15, 2012 as an Exhibit to the United States' Motion for Preliminary Order of Forfeiture. The United States also completed the publication process, to give notice of the forfeiture to third parties. The Proof of Publication was filed with the Court on August 23, 2012.

No third parties have filed a claim to the defendant currency. Therefore, any third-party interests are barred by failure of those parties to file a timely petition. It is now appropriate for the Court to enter a final order of forfeiture, in accordance with the terms of the Settlement Agreement between the United States and Claimant Underwood. The parties have agreed that the United States will release to the Claimant \$10,455.00 of the defendant United States currency, which is the subject of this action, by the issuance of a check by the United States Marshals Service made

payable to Ernest Underwood c/o Stacie Bilyeu, Attorney for Underwood. The Claimant has agreed to the forfeiture of \$5,224.00 of the defendant United States currency to the United States pursuant to 21 U.S.C. § 881(a)(6).

Therefore, it is hereby

ORDERED that Plaintiff's Motion for Final Order of Forfeiture is granted. It is further

ORDERED that the following property is hereby forfeited to the United States of America pursuant to 21 U.S.C. § 853(n):

\$5,224.00 of the defendant United States currency. It is further

ORDERED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law. It is further

ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

All pending motions in this case are **DENIED** as **MOOT**.

IT IS SO ORDERED.

DATED: September 11, 2012

/s/ Richard E. Dorr
RICHARD E. DORR, JUDGE
UNITED STATES DISTRICT COURT